

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Christian WENGERTER, et al.

Conf. No.: 8631

Appln. No.: 10/577,710

Filed: May 2, 2006

For: TRANSMISSION POWER LEVEL SETTING DURING CHANNEL  
ASSIGNMENT FOR INTERFERENCE BALANCING IN A CELLULAR  
WIRELESS COMMUNICATION SYSTEM

RESPONSE TO AND REQUEST FOR WITHDRAWAL  
OF NOTICE TO FILE MISSING PARTS

Attn.: OIPE

Honorable Commissioner of  
Patents and Trademarks  
Washington, DC 20231

Sir:

This is in response to the Notice to File Missing Parts, dated March 3, 2009.

Attached is a copy of the Notice to File Missing Parts, dated March 3, 2009, in which the PTO requires filing of an oath or declaration of the inventors. The declaration of the inventors, containing signatures of all inventors and identifying the application by the international filing number and international filing date, and surcharge, were filed on August 24, 2006.

A copy of the date-stamped docket sheet, reflecting receipt of said documents by the Patent Office on said date, a copy of the executed declaration, and a copy of check stub no.44373 confirming payment of the surcharge, is enclosed.

Accordingly, a withdrawal of the Notice to File Missing Parts dated March 2, 2009 is requested.

No fees are deemed to be due because of the PTO's error.

However, if any fee is due, it may be charged to deposit account no. 04-1061.

Respectfully submitted,

/James Edward Ledbetter/

Date: April 8, 2009

James E. Ledbetter  
Registration No. 28,732

JEL/jcw

ATTORNEY DOCKET NO. 007725-06106

DICKINSON WRIGHT, PLLC  
1875 Eye Street, NW, Suite 1200  
Washington, DC 20006  
Telephone: (202) 457-0160  
Facsimile: (202) 659-1559

DC 7725-6106 134913v1

**STEVENS, DAVIS, MILLER & MOSHER, L.L.P.**

1615 L Street, NW, Suite 850  
Washington, DC 20036

THE PATENT AND TRADEMARK OFFICE OFFICIAL FILING DATE STAMP HEREON IS  
ACKNOWLEDGMENT OF FILING:

XX Declaration/Power of Attorney  
XX Assignment Document w/PTO-1595  
XX Transmittal Ltr. to U.S. Designated/Elected  
Office (in dup.)  
XX Check No. 44373 for \$170.00

APPLICANTS: Christian WENGERTER, et al.  
TITLE: TRANSMISSION POWER LEVEL SETTING DURING CHANNEL ASSIGNMENT  
FOR INTERFERENCE BALANCING IN A CELLULAR WIRELESS  
COMMUNICATION SYSTEM

DATE: May 2, 2006  
DOCKET NO.: L7725.06106  
APPLN. NO.: 10/577,710



CLIENT NAME: GRUNECKER  
CLIENT NO.: 7725  
CLIENT REF. #: PA41765USDK006903lau  
ASSIGNEE: MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.

Date Filed: August 24, 2006

Old Due Date:

New Due Date:

Attorney Initials: \_\_\_\_\_

Check #: 44373

Client #: 7725

RE: late filing of dec/poa, assign recordation

Docket #: L7725.06106 Serial #: 10/577,710

8/23/2006

\$170.00



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/577,710	Christian Wengerter	L7725.06106

52989

Dickinson Wright PLLC  
James E. Ledbetter, Esq.  
International Square  
1875 Eye Street, N.W., Suite 1200  
Washington, DC 20006

INTERNATIONAL APPLICATION NO.	
PCT/EP2004/012563	
I.A. FILING DATE	PRIORITY DATE
11/05/2004	

CONFIRMATION NO. 8631  
371 FORMALITIES LETTER



Date Mailed: 03/02/2009

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- Copy of the International Application filed on 05/02/2006
- Copy of the International Search Report filed on 05/02/2006
- Preliminary Amendments filed on 05/02/2006
- Information Disclosure Statements filed on 05/02/2006
- Request for Immediate Examination filed on 05/02/2006
- U.S. Basic National Fees filed on 05/02/2006
- Priority Documents filed on 05/02/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebs>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

VALERIE D KINARD

---

Telephone: (703) 308-9140 EXT 182